

01-31-02

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PTO/SB/05 (08-00)

Please type a plus sign (+) inside the box → ☐App. for use through 10/31/2002 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MCA-499Div.
First Inventor	Benny Garcia
Title	IMPROVED ELECTRODEIONIZATION SYSTEM
Express Mail Label No.	ET121813705US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages ☐ 12]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets ☐ 2]
5. Oath or Declaration [Total Pages ☐ 1]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 17 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Replacement Sheet

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No. 09 / 616,137

Prior application information:

Examiner Parsons, Thomas H.

Group / Art Unit: 1741

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label



or ☒ Correspondence address below

Name	Kevin S. Lemack				
Address	Niels & Lemack				
	176 E. Main Street				
City	Westboro	State	MA	Zip Code	01581
Country	U.S.A.	Telephone	(508) 898-1818	Fax	(508) 898-2020

Name (Print/Type)	Kevin S. Lemack	Registration No. (Attorney/Agent)	32,579
Signature		Date	Jan. 29, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

11002 U.S. PTO
10/059573

01/29/02

01/29/02



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 740.00

Complete if Known

Application Number	Not yet assigned
Filing Date	Herewith By Express Mail
First Named Inventor	Benny Garcia
Examiner Name	Not yet assigned
Group Art Unit	Not yet assigned
Attorney Docket No.	MCA-499Div.

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 14-0930
Deposit Account Name: Nields & Lemack

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	\$740
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$ 740.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
7	-20** = 0	18	0
1	-3** = 0	84	0
Multiple Dependent		280	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$

SUBMITTED BY

Name (Print/Type)	Kevin S. Lemack	Registration No. (Attorney/Agent)	32,579	Telephone	(508) 898-1818
Signature		Date	Jan. 29, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

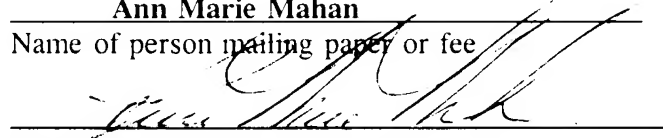
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : Letter

"EXPRESS MAIL" MAILING LABEL NO. **ET121813705US**
DATE OF DEPOSIT: January 29, 2002

I hereby certify that this patent application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231, **BOX: PATENT APPLICATION.**

Ann Marie Mahan

Name of person mailing paper or fee


Signature of person mailing paper or fee

Attorney Docket No. **MCA-499Div.**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Benny Garcia and Andrew Proulx**

For: **IMPROVED ELECTRODEIONIZATION SYSTEM**

Assistant Commissioner of Patents
BOX: PATENT APPLICATION
Washington, D.C. 20231

Sir:

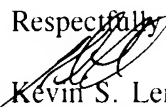
LETTER

The above-identified applicant enclose for filing a Divisional patent application entitled "**IMPROVED ELECTRODEIONIZATION SYSTEM**". Said attached Divisional patent application includes (1) Utility Patent Application Transmittal Letter (1-Page); (2) Divisional Patent Application: 12-page Specification (including 2-Pages of Claims (7) and 1-Page Abstract), 2-sheets A4 size drawings and a copy of the executed combined Declaration (1-Page) filed in prior application serial no. 09/616,137; (3) Preliminary Amendment (1-Page), together with a Replacement sheet (1-Page); and (4) Fee transmittal Form, together with a check in the amount of \$740.00 in payment of the filing fee.

All correspondence concerning this application should be mailed to:

**Kevin S. Lemack
Niels & Lemack
176 E. Main Street
Westboro, Massachusetts 01581**

Respectfully submitted,


Kevin S. Lemack
Attorney for Applicants
Registration No. 32,579
Niels & Lemack
176 E. Main Street
Westboro, Massachusetts 01581
TEL: (508) 898-1818

Date: January 29, 2002

EXPRESS MAIL NO: ET121813705US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : Fee Transmittal Form, together with a check

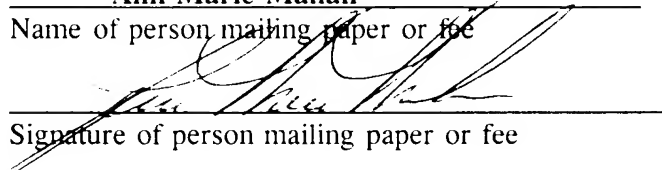
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DATE OF DEPOSIT: January 29, 2002

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PATENT APPLICATION.

Ann Marie Mahan

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Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : **Divisional Patent Application, together with a copy of the executed Declaration from the prior application serial no. 09/616,137**

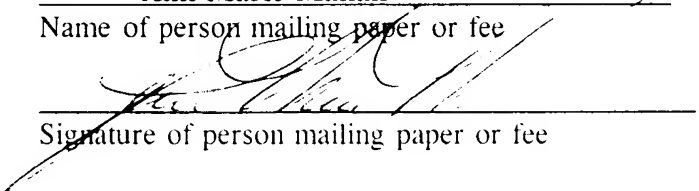
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Ann Marie Mahan

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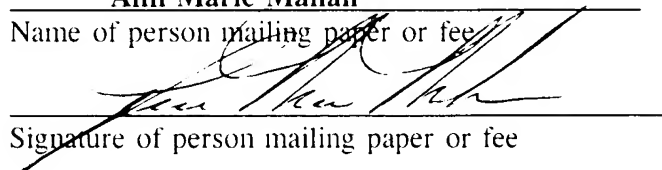
Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : Preliminary Amendment

"EXPRESS MAIL" MAILING LABEL NO. **ET121813705US**
DATE OF DEPOSIT: **January 29, 2002**

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Ann Marie Mahan

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Applicants : Benny Garcia, et al.
Serial No. : Not yet assigned
Filed : Herewith By Express Mail
For : IMPROVED ELECTRODEIONIZATION SYSTEM
Examiner : Not yet assigned
Art Unit : Not yet assigned
Attorney
Docket No. : MCA-499Div.
Type of paper : **Utility Patent Application Transmittal Form**

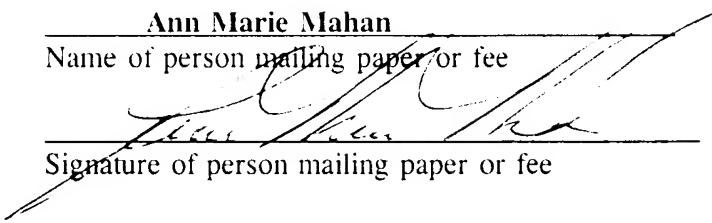
11002 U.S. PRO
10/059573
01/29/02

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